Software Rights Archive, LLC v. Google Inc. et al
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EXHIBIT E

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WORK EXPERIENCE

2001 to present **Law Practice;** San Francisco, CA.

Founded law practice centering on trial and appellate litigation of public-interest intellectual property, First Amendment, and environmental law cases, and trial and appellate litigation of plaintiff's securities and antitrust class actions in association with other law firms. Clients include various public employee pension funds; Merrill Lynch; individuals and entities jointly represented with the Electronic Frontier Foundation; the City of Oakland, California; Computer and Communication Industry Association; Sierra Club; Center for Biological Diversity; Save San Francisco Bay Association; California Voter Foundation; Center for Constitutional Rights; and a consortium of computer scientists at Johns Hopkins, Stanford, and Rice Universities investigating electronic voting public policy issues.

Cases include *DVD Copy Control Association v. Bunner*, 31 Cal.4th 864 (2003), subsequent proceedings, 116 Cal.App.4th 241 (2004) (trade secret and First Amendment issues relating to encryption code for DVD movie disks); *Newmark v. Turner Broadcasting, et al.* (C.D. Cal. No. 01-09358) (copyright infringement and fair use issues relating to consumer use of digital video recorders); *Apple Computer v. Doe* (California Court of Appeal 2006) (right of online journalists to protect their confidential sources); *Soubirous v. Riverside County* (California Court of Appeal) (whether Riverside County's electronic voting machine procedures comply with California statutory requirements; amicus); *McKesson HBOC v. Superior Court*, 115 Cal.App.4th 1229 (2004) (whether a corporation's internal investigation report of securities fraud retains attorney-client or work product protection after it is disclosed to government prosecutors); *Newman v. Warnaco Group*, 335 F.3d 1887 (2d Cir. 2003) (whether corporate financial restatement amounted to "storm warnings" putting investors on inquiry notice of securities fraud); *Pavlovich v. Superior Court*, 29 Cal.4th 262 (2002) (Internet jurisdiction; amicus); *Center for Biological Diversity v. FPL Group* (Superior Court of Alameda County, California) (unfair competition suit challenging the killings of thousands of eagles, hawks, and other raptors by wind turbines in violation of federal and state wildlife protection laws); *California Sportfishing Protection Alliance v. Diablo Grande*, 209 F.Supp.2d 1059 (E.D. Cal. 2002) (citizen suit for Clean Water Act violations). Counseling includes advising clients on copyright ownership and infringement issues, trademark and Lanham Act infringement issues, and trade secret misappropriation issues.

Member, Electronic Frontier Foundation Advisory Board.

1994 to 2000 **Permanent Judicial Staff Attorney;** Justice Joyce Kennard; California Supreme Court; San Francisco, CA.

Worked on the full range of civil and criminal cases pending before the Supreme Court. These cases included issues arising under state and federal constitutional law, state and federal statutory law, and state common law, such as: freedom of speech and its intersection with government restrictions, privacy rights, and intellectual property; California securities law; the scope of “unfair business practices” under California’s unfair competition law; whether to recognize new tort causes of action; judicial reviewability of arbitration decisions; death penalty and other criminal law issues; insurance contract law; takings law; and trust law.

1988 to 1994 **Associate;** Brobeck, Phleger & Harrison; San Francisco, CA.

Engaged in all aspects of complex litigation at the discovery, pretrial, trial, and appellate stages. Substantive areas of practice include copyright, patent, trademark, trade secret, antitrust (including European Commission antitrust investigations), unfair competition and other business torts, RICO, contracts, personal injury, defaulted foreign government obligations, employment discrimination, environmental law, habeas corpus, and section 1983 civil rights actions. Advised clients on protecting intellectual property rights, avoiding antitrust liability, and other legal issues.

Clients included Nintendo, Sony, British Telecom, Fujitsu ICL, Wells Fargo Bank, and Air Canada. Cases included *Atari Corp. v. Nintendo* (whether Nintendo monopolized and restrained trade in the videogame industry); *Tengen v. Nintendo* (copyright licensing and infringement of the videogame “Tetris”); *Galoob v. Nintendo* (copyright infringement); *Atari Games v. Nintendo* (infringement of patents and copyrights in videogame security system; infringement of videogame patents; trademark and trade secret infringement; antitrust monopolization claims arising from Nintendo’s assertion of its intellectual property rights); *Sony v. Funai* (VCR patent infringement); *Zeus v. Quark* (copyright and trade secret infringement by the “QuarkXPress” publishing program); *Mediagenic v. British Telecom* (dispute over sale of British Telecom’s videogame business); *Pacific Gas & Electric v. Fischbach & Moore* (antitrust and RICO trial over bid-rigging conspiracy at PG&E's Diablo Canyon nuclear power plant).

1986 to 1988

Supervising Attorney; Office of Staff Attorneys; United States Court of Appeals for the Ninth Circuit; San Francisco, CA.

Supervised a staff of five annual law clerks and three law student externs who prepared bench memoranda for the judges of the Court analyzing the legal issues and summarizing the facts in pending cases. Responsible for assigning my staff the cases they worked on and advising them on how to analyze the legal issues presented. Trained my staff in federal law, appellate procedure, and legal writing. Participated in the disposition of over 250 appeals. Authored handbook of habeas corpus law for the Court.

1985 to 1986

Law Clerk; Office of Staff Attorneys; United States Court of Appeals for the Ninth Circuit; San Francisco, CA.

Wrote bench memoranda and prepared orders and opinions for Ninth Circuit judges analyzing the merits of cases pending before the Court.

1981 to 1985

Computer Programmer; University of California, Berkeley, and Lawrence Berkeley Laboratory; Berkeley, CA.

Designed and wrote applications programs for UNIX and C platforms to generate financial planning and other management information for grant-supported scientific research organization.

PUBLICATIONS

Co-author, 1988 to 2001, of the treatise *Appeals and Writs in Criminal Cases* (California Continuing Education of the Bar, 2d ed., 2000).

EDUCATION

Law

School of Law (Boalt Hall), University of California; Berkeley, CA.
J.D., 1985.
Notes and Comments Editor, **Ecology Law Quarterly**.

Undergraduate

Yale College; New Haven, CT. B.A., 1977.